D.B. CIVIL SPECIAL APPEAL(W)NO.1016/2006

DATE OF ORDER :: 06-08-2007

HON'BLE THE ACTING CHIEF JUSTICE SHRI J.M. PANCHAL
HON'BLE SHRI JUSTICE MOHAMMAD RAFIQ

Mr. Babu Lal Gupta for the appellant.
Mr. Virendra Lodha for the respondents.

By filing the instant application, the appellant has sought permission to withdraw D.B. Civil Special Appeal (W) no.1016/2006 in view of order dated May 05, 2007 passed by the respondents by which the interest on the outstanding and due amount from the traders of Krishi Upaj Mandi Samitis is waived with liberty to file fresh petition in case of difficulty.

This Court has heard the learned counsels for the parties.

In view of the averments made in Paragraphs 1 and 2 of the application, this Court is of the opinion that the prayer made in the application deserves to be granted.

For the foregoing reasons, the application succeeds. The permission to withdraw the instant appeal is granted. Liberty is reserved to the appellant to file fresh petition in case of difficulty.

Subject to the liberty reserved which is mentioned above, the appeal stands disposed of as withdrawn. There shall be no orders as to costs.

[MOHAMMAD RAFIQ],J. **[J.M.PANCHAL],ACTG.CJ.**

Skant/-